

ZONING AND ADJUSTMENT BOARD

September 19, 2005

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, September 19, 2005, at 6:30 P.M. with the following members present: Larry Story- Chairman, Ron Berry, James Sutton, Rusty Mask, Dale Nichols, Todd Brown and Dossie Singleton. Richard Cole, Jr., Frank Topping, Frank Szczepanski and Evan Merritt were absent. Terry Neal- Zoning and Adjustment Board Attorney, Sandy Cassels- Board Secretary, and Roberta Rogers- Director of Planning and Development, were present.

The Board members led everyone in the pledge of allegiance and prayer.

Mr. Story presented the proof of publication.

Mr. Nichols made a motion to approve the minutes from the September 6, 2005 meeting. Mr. Mask seconded the motion and the motion carried.

S2005-0013

Tropical Dreams

Mr. Berry made a motion to remove this application from the table. Mr. Brown seconded the motion and the application was removed from the table. Mr. Berry excused himself from the discussion and voting as he is a Nextel dealer and this may be a conflict of interest for him.

Robert Killian and Laura Beltower, representatives for the applicant, were present and requesting a Special Use Permit for a cell tower. There were 9 (nine) notices sent. Of the 9 (nine) notices sent, none were returned in objection or in favor. There were no objections from the audience. Mrs. Rogers made a change to the conditions for approval on condition "K" - "Type B screening shall be utilized as required in Section 13-764".

Mr. Nichols made the motion to recommend approval of the Special Use Permit for a Nextel cell tower with the change to condition "K". Mr. Singleton seconded the motion and the motion carried.

T2005-0040

James & Crystal Steedly

Crystal Steedly, applicant, was present and requesting a Temporary Use Permit for three (3) years for a care receiver's residence. There were six (6) notices sent. Of the six (6) notices sent, one (1) was returned in favor and none in objection. There were no objections from the audience. The doctor's letter that was received with the application stated the patient did not need full time care at this time, but may in the future. After discussion, the applicant requested this be tabled until the October 17, 2005 meeting.

Mr. Brown made the motion to table this application until October 17, 2005. Mr. Berry seconded the motion and the motion carried.

SS2005-0014

3 Way Cattle, Inc.

Lonnie Edwards, representative for the applicant, was present and requesting a Small Scale Land Use Change on .17 acres MOL from Low Density Residential to Commercial. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or in objection. There were no objections from the audience. Mr. Sutton asked Mr. Edwards what was planned for this parcel. Mr. Edwards explained after the land use change and the rezoning for this parcel were approved, it would be combined with the larger parcel to the east.

Mr. Nichols made the motion to recommend approval of the Small Scale Land Use Change from Low Density Residential to Commercial on .17 acres MOL to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

R2005-0014

3 Way Cattle, Inc.

Lonnie Edwards, representative for the applicant, was present and requesting a rezoning on .17 acres MOL from RR to CH. There were five (5) notices sent. Of the five (5) notices sent, none were returned in favor or in objection. There were no objections from the audience.

Mr. Nichols made the motion to recommend approval of the rezoning from RR to CH on .17 acres MOL to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

R2005-0090

Warren Doetsch, Jr.

Mark Neese, representative for the applicant, was present and requesting a rezoning of 13 acres MOL from A5, RR, and RR1 to RR5. There were four (4) notices sent. Of the four (4) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience. Mr. Nichols inquired about the plans for the property. Mr. Neese explained he would like the mobile home to remain in front and build a conventional home in the back, therefore making the property two (2) separate parcels.

Mr. Nichols made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Sutton seconded the motion and the motion carried.

R2005-0091

Larry & Barbara Fort

Larry & Barbara Fort, applicants, were present and requesting a rezoning of 4.9 acres MOL from A5, R1, & RR to RR1. There were nine (9) notices sent. Of the nine (9) notices sent, one (1) was returned in favor and none were returned in objection. There were no objections from the audience. Mr. Sutton questioned the applicants regarding their plans for the parcel. Mr. & Mrs. Fort explained they would like the property to have one (1) zoning classification.

Mr. Nichols made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Berry seconded the motion and the motion carried.

R2005-0092

Kenneth & Frances Jones

Kenneth & Frances Jones, applicants, were present and requesting a rezoning of 2.61 acres MOL from A5 & a non-vested C1 to CN. There were four (4) notices sent. Of the four (4) notices sent, one was returned in favor and none were returned in objection. There were two (2) objections from the audience. Mr. Kenneth Baker & Mr. Joe Hamm wanted to know what the parcel would be used for. Mr. Jones explained they currently own a grocery/convenience store at a different location and have out grown that location, therefore they would like to use this parcel for a new store. Mr. Baker was satisfied with the plans for the parcel and had no further objections. Mr. Hamm wanted to know if screening and buffering would be required between his property and the new store. Mrs. Rogers explained that screening and buffering requirements would be discussed during the development review process. Mr. Jones explained he would like to be a good neighbor to the adjacent property owners. Mr. Hamm had no further objections.

Mr. Nichols made the motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

R2005-0093

Gary & Caron Marriage

Mr. Story read a letter from Mr. & Mrs. Marriage requesting their application be tabled until the October 3, 2005 Zoning & Adjustment Board Meeting and the October 11, 2005 Board of County Commissioners meeting.

Mr. Brown made the motion to table this application until October 3, 2005 ZAB meeting and the October 11, 2005 BOCC meeting. Mr. Nichols seconded the motion and the motion carried.

S2005-0014

Veal Farm & Ranch, Inc.

Ulay Thompson, representative for the applicant, was present and requesting a Special Use Permit for an electrical substation. There were eight (8) notices sent. Of the eight (8) notices sent, one (1) was returned in favor and none were returned in objection. There were five (5) objections from the audience: Joan Jusner, Misty Durham, Christina Brannen, Agrid Wayte, & Conway Carrey. Mr. Thompson explained the electrical substation presently in use needs to be replaced, but the parcel where it is located isn't large enough to accommodate the new substation. The neighbors questioned why the substation needed to be placed on a 10 acre parcel adjacent to the subdivision. Mr. Thompson explained this is the best location since the electric lines meet at this point. Mr. Thompson also explained the existing electrical substation will be retired and one (1) line will be removed. Progress Energy will not add any easements and will have landscaping and buffering between the substation fence and the substation. Mr. Nichols explained finding property to put substations on is difficult. The board discussed accessing the property by easements from resident's property, the "stub" street, and the easement from US Hwy 301. After discussion, it was decided the access easement for construction purposes would be from US Hwy 301. Lighting for the new substation was discussed. Mr. Thompson explained the substation would have a lighting mast which would keep the light within the substation area.

Mr. Nichols made the motion to recommend approval of the requested special use permit to the Board of Sumter County Commissioners based on the information provided in the staff report and with the condition that all construction traffic access the site from the US Hwy 301 easement or the "stub" street located within the Royal Crest Estates Subdivision. Mr. Berry seconded the motion and the motion carried.

CP-B2005-0001

Maricamp

Mrs. Rogers explained the owners of this property would like this application to be tabled until the October 3, 2005 Zoning and Adjustment Board Meeting and the October 11, 2005 Board of County Commissioners meeting.

Mr. Brown made the motion to table this application until the October 3, 2005 ZAB meeting and the October 11, 2005 BOCC meeting. Mr. Nichols seconded the motion and the motion carried.

CP-B2005-0002

Acorn Investments

Mrs. Rogers explained the owners of this property would like this application to be tabled until the October 3, 2005 Zoning and Adjustment Board Meeting and the October 11, 2005 Board of County Commissioners meeting.

Mr. Brown made the motion to table this application until the October 3, 2005 ZAB meeting and the October 11, 2005 BOCC meeting. Mr. Nichols seconded the motion and the motion carried.

Mr. Nichols made the motion to adjourn the meeting. Mr. Mask seconded the motion and the motion carried. The meeting adjourned at 7:50 P.M.

Larry Story, Chairman
Zoning and Adjustment Board